

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Valentina Concha-Toro	Team: Squad #12	CCRB Case #: 201903147	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 04/03/2019 6:00 PM	Location of Incident: 71st Precinct stationhouse	Precinct: 71	18 Mo. SOL 10/3/2020	EO SOL 5/20/2021	
Date/Time CV Reported Thu, 04/11/2019 3:55 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 04/11/2019 3:55 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Haber	11401	955967	071 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Thomas Owens	08023	961051	071 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Michael Haber	Abuse: Police Officer Michael Haber refused to provide his shield number to § 87(2)(b)	

Case Summary

On April 11, 2019, § 87(2)(b) submitted this complaint with the CCRB over the telephone.

At approximately 6:00 p.m. on April 3, 2019, § 87(2)(b) entered the 71st Precinct stationhouse and spoke to a sergeant regarding obtaining Police Officer Michael Haber's identifying information. § 87(2)(b) exited the stationhouse. Approximately 20 minutes later Police Officer Haber exited the stationhouse. § 87(2)(b) asked Police Officer Haber for his shield number and Police Officer Haber did not provide it to § 87(2)(b) (**Allegation A: Abuse of Authority – Refusal to Provide Shield Number**, § 87(2)(g)). Police Officer Haber got into his vehicle and drove away. No summonses or arrests resulted from the incident.

Body-worn camera footage was requested and returned with negative results.

Findings and Recommendations

Allegation (A) – Abuse of Authority: Police Officer Michael Haber refused to provide his shield number to § 87(2)(b)

§ 87(2)(g)

On April 11, 2019, § 87(2)(b) provided a brief telephone statement (Board Review 01) during which the allegations made were consistent with the verified interview provided to the CCRB. On May 3, 2019, § 87(2)(b) provided verified statement to the CCRB (Board Review 02).

§ 87(2)(b) stated that at the 71st Precinct stationhouse he was outside on a telephone call and Police Officer Haber exited the stationhouse. § 87(2)(b) asked Police Officer Haber three times to provide his shield number. The first time, Police Officer Haber laughed. The second time, Police Officer Haber pointed at the shield on his chest, told § 87(2)(b) to look at it and turned away. § 87(2)(b) informed Police Officer Haber he was not able to see it and if Police Officer Haber could give him the opportunity to write the number down or take a photograph of the shield. Police Officer Haber entered the patrol vehicle and told § 87(2)(b) he would get it as Police Officer Haber closed the door. Police Officer Haber drove away and did not provide § 87(2)(b) with his shield number.

On April 19, 2019, Police Officer Haber was interviewed at the CCRB (Board Review 03), and on June 28, 2019, his assigned partner, Police Officer Thomas Owens, was interviewed at the CCRB (Board Review 04). Neither Police Officers Haber or Owens had an independent recollection of the incident or of interacting with § 87(2)(b) on April 3, 2019, but memo book entries from both Police Officer Haber and Police Officer Owens notes them working during the time of the incident (Board Reviews 05 and 06).

Police Officer Haber stated that he had multiple interactions with § 87(2)(b) prior to April 3, 2019, and arrested him the week before. Police Officer Haber did not recall observing § 87(2)(b) at the 71st Precinct stationhouse nor was he informed that § 87(2)(b) had been at the stationhouse requesting Police Officer Haber's information. Police Officer Haber denied he had laughed,

turned away, and told § 87(2)(b) he would get his shield number. Police Officer Haber was asked if § 87(2)(b) asked him for his shield number and he did not recall § 87(2)(b) asking him for his shield number during the incident. Police Officer Owens was not aware of § 87(2)(b) having gone to the 71st Precinct stationhouse. When asked if Police Officer Haber refused to provide his shield number to § 87(2)(b) Police Officer Owens stated that he did not observe this, nor was he aware of Police Officer Haber not providing his shield number. Police Officer Owens denied any other officer doing this.

§ 87(2)(g)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Civilian and Officer CCRB Histories

- This is the second CCRB case to which § 87(2)(b) has been a party (Board Review 07):
 - § 87(2)(b) [REDACTED]
[REDACTED]
[REDACTED]
- Police Officer Haber has been a member-of-service for five years and has no prior CCRB allegations.

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- A Notice of Claim search request was submitted to the New York City Comptroller's office on June 19, 2019, and on June 26, 2019, a response from the New York City Comptroller's Office yielded negative results (Board Review 09).

Squad No. 12

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____

	Signature	Print Title & Name	Date
Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date